UNITED NATIONS

General Assembly

FIFTIETH SESSION

Official Records

THIRD COMMITTEE
36th meeting
held on
Wednesday, 22 November 1995
at 10 a.m.
New York

SUMMARY RECORD OF THE 36th MEETING

Chairman: Mr. TSHERING (Bhutan)

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Distr. GENERAL
A/C.3/50/SR.36
18 January 1996
ENGLISH
ORIGINAL: FRENCH

95-82422 (E)

The meeting was called to order at 10.30 a.m.

AGENDA ITEM 110: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (continued) (A/50/163, A/50/215-S/1995/475, A/50/456, A/50/537, A/50/672, A/50/673)

AGENDA ITEM 111: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (continued) (A/50/511, A/50/565, A/50/673)

1. Mrs. SMOLCIC (Uruguay), speaking on agenda item 110, said that children were the first to suffer the consequences of the disintegration of the family unit, the increase in poverty and the reduction of social services. It was essential to find a prompt and lasting solution to the problem of children who were affected by armed conflicts, abandoned or exploited. A constantly growing number of children were involved in armed conflicts or were direct witnesses of atrocities and, although they were less apparent than physical injuries, the resulting psychological traumas could seriously affect their future development.

2. True respect for the rights of children, particularly those guaranteed by the Convention on the Rights of the Child, would demand time and effort and her delegation therefore commended the action taken by the United Nations in that regard. She welcomed the appointment of an expert to undertake a study of the impact of armed conflicts on children and hoped that his final report would be submitted to the General Assembly at its fifty-first session. The proposal that the age of conscription should be set at 18 years was equally welcome. She welcomed the appointment by the Commission on Human Rights of Mrs. Calcetas-Santos as Special Rapporteur to examine the question of the sale of children, child prostitution and child pornography. Finally, she hoped that the two working groups responsible for elaborating draft optional protocols to the Convention on the Rights of the Child would achieve progress in their work.

3. It was imperative that Governments should assume the obligations which they had undertaken in ratifying the various relevant international legal instruments. In that connection, she drew attention to the provisions of article 39 of the Convention on the Rights of the Child, pursuant to which States Parties were required to promote the physical and psychological recovery and social reintegration of any child victim of any form of neglect, exploitation or abuse.

4. She welcomed the progress in the negotiations on the drafting of a general resolution on the rights of the child that would combine the various resolutions adopted the previous year. She hoped that other delegations would support the draft resolution and that the text would be adopted by consensus.

5. Mrs. INTELMANN (Estonia), speaking on agenda item 111, said that her country welcomed the decision taken by the General Assembly at its forty-eighth session to proclaim the International Decade of the World's Indigenous People, as it was time to recognize that indigenous populations should have the possibility of fully exercising their rights and maintaining their identity.

6. Her delegation supported all measures taken at the international, national and local levels to promote the rights of indigenous people. In that

connection, she pointed out that Estonia had observed the International Day of Indigenous People with various events organized by non-governmental organizations.

7. She noted with satisfaction the report of the Secretary-General on a comprehensive programme of action for the International Decade of the World's Indigenous People. Her delegation was closely following the elaboration of the draft United Nations declaration on the rights of indigenous peoples, which was a main objective of the Decade, and welcomed the decision taken by the Commission on Human Rights to establish an open-ended intersessional working group that would assist the Working Group on Indigenous Populations. Her delegation was pleased by the decision to establish, within the Centre for Human Rights, an indigenous people's unit with appropriate staff and adequate financial resources. It also supported the idea of a fellowship programme that would enable indigenous people to gain knowledge of human rights instruments and to familiarize themselves with the United Nations system, as well as the idea of funding research on indigenous people.

8. Governments were primarily responsible for the living conditions of indigenous people and the preservation of their cultural identity. States should therefore amend their constitutions and legislation with a view to recognizing the existence of indigenous people and ensuring their rights. In that connection, she commended the important work carried out by international and national non-governmental organizations, in particular by the Finno-Ugric Peoples' Coordination Committee.

9. In October 1996, Estonia would be organizing a forum of indigenous people. Participants would include representatives of the Working Group on Indigenous Populations of the Commission on Human Rights and persons responsible for coordinating the activities of the Decade. The aim of the forum would be to establish closer contact among different organizations representing indigenous people and to adopt a declaration that would contribute to the work currently under way in Geneva. Her Government was also considering further measures for the dissemination of information about the Decade and the provision of financial support for the various initiatives taken in that context.

10. Her delegation believed that adequate financial resources should be allocated to the promotion of indigenous people and that States should allocate a portion of international assistance to the funding of such initiatives. The United Nations should also consider the possibility of using funds allocated to previous programmes and strengthen cooperation among the various agencies concerned.

11. Ms. MIRHABA (Islamic Republic of Iran), speaking on agenda item 110, said that the protection of the rights of children was the foundation of a healthy society, which in turn provided the foundation for all cultural, social and economic development. Regrettably, however, the development of many children was hampered by menaces such as war, violence, racial discrimination, foreign occupation, neglect, cruelty and exploitation. The fact that children were now exposed on a daily basis to an increasing number of dangers was also linked to the tremendous vulnerability of the modern family, where children no longer found the protection, love and dignity which they needed. That disintegration

of the family unit was linked to the emergence of new economic and social structures of which children were the first victims.

12. In addition to the Convention on the Rights of the Child, which had been widely accepted, various other international instruments and mechanisms stressed promotion of the status of children. At the Fourth World Conference on Women, particular attention had been paid to girl children, and the Platform for Action adopted at the Conference included concrete measures for the promotion and protection of the basic rights of girl children, which indicated the international commitment made in that respect. Although much progress had been made, there was still a long way to go before the world was a safe place for children. At the moment, a critical area of concern was the sexual exploitation of children, which was now extensively practised in some parts of the world and had become a transnational crime. According to the report of the United Nations Children's Fund (UNICEF) on the status of children, over 2 million teenagers were involved in prostitution. The latest report of the Special Rapporteur on the subject had identified the education system, the justice system and the media as the three main agents of change through which that problem could be addressed. Her country had participated actively in the Working Group of the Commission on Human Rights responsible for the elaboration of a draft optional protocol to the Convention on the Rights of the Child concerning the sale of children, child prostitution and child pornography. The protocol should require States to take measures to eliminate the demand that was at the root of such forms of child exploitation and to encourage international cooperation for the eradication of poverty, which was a further contributing factor, and promote respect for social, spiritual and moral values. While poverty and lack of education provided a suitable ground for child exploitation, particularly in the developing countries, the erosion of moral and spiritual values, the dissolution of the family and ubiquitous consumerism also contributed to its escalation.

13. At the national level, the Iranian Constitution and Civil Codes prohibited all forms of exploitation of children and those who violated their provisions were severely punished. A national plan of action aimed at implementing the Convention on the Rights of the Child had also been formulated and incorporated into the five-year development plan covering the period up to the year 2000. Furthermore, through its health-care network, her country had successfully implemented an expanded programme of immunization against the six major childhood diseases, in particular poliomyelitis.

14. In conclusion, her delegation believed that the future of children should be safeguarded through the enhancement of the family unit, global consciousness-raising for the eradication of poverty, and the promotion of education and moral and ethical values.

15. Mr. AL-EYEDI (Saudi Arabia), speaking on agenda item 110, said that his country welcomed international action to protect children, especially those who were living in difficult conditions as a result of armed conflicts or who were victims of practices such as the sale of children, pornography or trafficking in organs.

16. The report of the Special Rapporteur on the sale of children, child prostitution and child pornography, which had been submitted pursuant to General

Assembly resolution 49/210, described the various forms of exploitation to which certain children were subjected. The international community must tackle the root causes of those phenomena with a view to their eradication.

17. Social programmes in Saudi Arabia were an integral part of the country's overall development. The main aim was to protect family cohesion and to prevent the disintegration of the family unit so that children could grow up in a wholesome environment.

18. The protection of children was a priority in Saudi Arabia. The country's health centres offered services free to all citizens and primarily to children. Those centres, which had numbered 2,000 in 1993, kept a record of births and provided follow-up medical care for children, in particular immunizations against major diseases, until they reached school age. They also sought to inform mothers of ways of preventing certain diseases. Thanks to preventive care, 91 per cent of newborn babies in Saudi Arabia were immunized; as a result, the incidence of contagious diseases had been greatly reduced, as had been noted by such international organizations as the World Health Organization (WHO) and UNICEF. Saudi Arabia had even won an award for its immunization programme in 1988 and 1990.

19. The Saudi Arabian Government also attached great importance to the education of children and had created numerous kindergartens and educational centres where children were brought up in accordance with the principles of Islam. Thanks to special social services, orphans and children with one parent dead, in prison or unemployed owing to illness received a proper education. Such children were placed in State-controlled foster families. Each foster family received financial assistance from the State. Unremunerated foster programmes were also organized on the basis of solidarity, as prescribed by the Shariah.

20. Saudi Arabia considered that the Convention on the Rights of the Child contained constructive provisions that were calculated to ensure a better future for children throughout the world. The Council of Ministers of the Saudi Arabian Government had therefore approved Saudi Arabia's accession to the Convention and the ratification process was about to be completed. Saudi Arabia spared no effort to improve the lot of children. It took the view that society had a duty to ensure that children flourished in the "society for all" that had been evoked at the World Summit for Social Development held in Copenhagen in March 1995.

21. Mr. KHRYSKOV (Russian Federation) said that the issue of children affected by armed conflicts, deprived of their family or home, or subjected to ill treatment or any form of exploitation was particularly tragic. It was for that reason that the international community had rightly assigned a high priority to the issue, as evidenced by the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, which stressed the importance of national and international efforts, particularly by UNICEF, to enforce respect for children's rights.

22. The Russian Federation had already taken relevant action by adopting legislative measures concerning not only the health of the population in general

and the right to work, but also assistance to families and children and the protection of children's rights and interests. Presidential Decree No. 1338 of 6 September 1993 introduced preventive measures on behalf of minors with no means of support and young offenders, and reflected a new approach to the protection of the rights of children in difficult circumstances. Moreover, by a decree adopted in 1994, the President of the Russian Federation had confirmed his aid programme for Russian children, a programme which comprised a wide range of measures on behalf of numerous categories of children including disabled children, victims of the Chernobyl disaster, children from the far north, orphans, and children from refugee or poor immigrant families. The programme also provided for the establishment of a network of institutions and services that would be responsible for improving children's living conditions. Lastly, in September 1995 the Government had established the broad lines of the policy it intended to pursue with a view to improving the situation of Russian children by the year 2000. The policy incorporated the provisions of the Convention on the Rights of the Child, the World Declaration on the Survival, Protection and Development of Children and the Plan of Action adopted at the World Summit for Children. The goals embraced by the Russian Federation included, in particular, the prevention of all forms of exploitation of children, the protection of children from physical or psychological violence, and the provision of legal protection for children in difficult situations - children who were affected by armed conflicts, were victims of disasters or belonged to families of refugees or needy immigrants.

23. At the international level, the Russian Federation supported the proposal concerning the drafting of additional protocols to the Convention on the Rights of the Child concerning the participation of children in armed conflicts and the sale of children, child prostitution and child pornography. The preparation of such instruments would encourage action to bring about a real improvement in the lot of those children who had suffered the most.

24. Mr. SABOIA (Brazil), referring to agenda item 111, said that indigenous lands in Brazil extended over more than 11 per cent of the national territory and that 224,000 persons of diverse origins lived in 554 areas recognized by the Government as indigenous areas. The Federal Constitution stipulated that indigenous communities had the right to maintain their social organization and their customs, languages, beliefs and traditions and the right to own and exploit their lands. The Federal Government was responsible for the demarcation of such lands and was determined to complete the process as soon as possible in accordance with the letter and spirit of the 1988 Constitution.

25. The same attention was accorded to the social and economic rights of indigenous people. Although Governments bore the primary responsibility for designing and implementing projects for the promotion of those rights, the role of international cooperation and assistance should not be neglected. Brazil hoped, in particular, that United Nations bodies, specialized agencies and non-governmental organizations would provide increased support for the Brazilian Government's efforts in the areas of health and education. In that connection, his delegation considered that the Secretary-General's final report on a comprehensive programme of action for the International Decade of the World's Indigenous People (A/50/511) would provide a valuable basis for future deliberations on the subject. Brazil, for its part, would do its utmost to

ensure that the programme of activities would be implemented at the country level in consultation with the indigenous people. At the same time, the Assistant Secretary-General for Human Rights and the Coordinator of the Decade must continue to encourage United Nations bodies to support the Decade through the allocation of human and financial resources. In particular, consideration should be given to the contribution that might be made to the Decade by the Commission on Sustainable Development in the context of the implementation of chapter 26 of Agenda 21. In addition, periodic evaluations of the activities of the Decade would be essential to identify obstacles to the sustainable development of indigenous people and to propose solutions. To that end, the Economic and Social Council might undertake a mid-term review of the Decade in order to make any adjustments necessary to the programme of activities to be adopted by the General Assembly at its current session.

26. His delegation paid a tribute to the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities for its meaningful work. It believed, in particular, that the practice of allowing representatives of indigenous people to take part in debates on matters of particular concern to them should be taken into consideration when a permanent forum for indigenous peoples' affairs was established in the United Nations.

27. With regard to the draft United Nations declaration on the rights of indigenous peoples, which was to be adopted in the course of the Decade, his delegation noted that the Working Group responsible for drafting it was preparing to start work in Geneva. The main challenge would be to reach a consensus on the best way of securing recognition of the rights of such peoples, bearing in mind the diversity of their living conditions and the historical and legal background that determined the relations between indigenous communities and the rest of society.

28. In conclusion, he said that his country expected large-scale international cooperation to promote the sustainable development of indigenous peoples and to take concrete action on the commitments entered into for the Decade.

29. Mr. KASANDA (Zambia), referring to agenda item 110, said that his delegation had taken note of the first progress report by the Secretary-General regarding the study on the impact on children of armed conflict. His delegation hoped that, in his next report, the expert who had been appointed to carry out that study would make recommendations on measures to promote the physical and psychological recovery and social reintegration of children affected by armed conflict, paying due attention to the issues of medical care and nutrition. In that context, the role of the family, both nuclear and extended, should not be underestimated. His delegation recommended that the expert should utilize the experience gained by the United Nations High Commissioner for Refugees (UNHCR) in southern Africa, particularly in Mozambique and Angola, where the High Commissioner was actively engaged in the process of rehabilitating hundreds of thousands of refugees, the majority of whom were children. The situation of children had continued to deteriorate as a result of armed conflicts, and the best solution to the crisis was to tackle the root causes of such conflicts.

30. Regarding the report by the Secretary-General on the promotion and protection of the rights of children, his delegation congratulated the Special Rapporteur on approaching her mandate in general terms rather than immediately getting into specific situations. Children required special protection. In that respect, the sale of children, child prostitution and pornography were particularly alarming problems.

31. The World Summit for Children had provided an opportunity to place children at the centre of development strategies, and five years later positive results could be noted: malnutrition had been reduced, immunization levels had not only been maintained but actually increased, and the number of measles deaths had dropped by 90 per cent world wide since the start of the vaccination campaign. In addition, polio had been eradicated from large areas of the developing world and iodine deficiency disorders and vitamin A deficiency were being overcome. Those positive trends should not, however, obscure harsh realities: 10 per cent of the world's children continued to live in abject poverty owing to the economic and social marginalization of their countries. Much more needed to be done, especially in Africa and the least developed countries. While structural changes were admittedly essential in order to correct past mistakes, that process should not be carried out to the detriment of the most vulnerable, namely, women and children. In countries which had undertaken such transformations, it was to be noted that malnutrition and infant mortality were on the increase and school enrolment had declined again. The United Nations had a major role to play in ensuring that the commitments to fight poverty that had been made at Copenhagen were fulfilled. His delegation noted with satisfaction the major contribution the United Nations system had made to the protection of children, in particular the role of the Committee on the Rights of the Child and the United Nations Children's Fund (UNICEF). The fact that an unprecedented number of States had ratified the Convention on the Rights of the Child demonstrated the importance which the international community attached to that issue.

32. At the Fourth World Conference on Women in Beijing, one area of concern had been the situation of girls. Member States, in particular those which had ratified the Convention on the Rights of the Child, should ensure that all forms of discrimination against girls were eliminated and take account of the specific needs of girls in their child-welfare programmes. They also needed to take steps to end practices that had harmful effects on girls and to educate public opinion about the dangers of such practices. His delegation appealed to all sectors of society, including national and international non-governmental organizations, to generate awareness of the disadvantaged situation of girls; he therefore supported the proposal to designate one day every year as the day of the girl-child.

33. Mr. SYLVESTER (Belize), speaking on behalf of the States members of the Caribbean Community (CARICOM) on agenda item 110, said that the 13 CARICOM member States were parties to the Convention on the Rights of the Child and had formulated plans of action which they were endeavouring to implement with the assistance of international organizations such as UNICEF, the United Nations Population Fund (UNFPA), the World Health Organization (WHO) and the World Bank. As a result of those programmes, improvements had occurred in the Caribbean region in areas such as child health and nutrition, education and women's health

education. The countries of the region had also done much to promote education for parents and teenagers, including teenage parents. CARICOM States had also taken steps to deal with the increasingly desperate plight of children living in especially difficult circumstances. That category included children with disabilities, street children, refugee children and child victims of sexual abuse and other forms of violence. Relief measures included provision of shelters, remedial education, counselling and nutrition programmes, and review of the care and safety of children in institutions and in the home. Much remained to be done but the measures already enjoyed the support of non-governmental organizations and private sector bodies throughout the Caribbean.

34. Atrocities committed against children throughout the world provoked revulsion among CARICOM countries. In particular, the fact that millions of children were involved in armed conflicts either as victims or participants was totally unjustifiable. CARICOM countries unreservedly supported the initiative of the Committee on the Rights of the Child to elaborate a protocol additional to the Convention on the Rights of the Child in relation to the military recruitment of children. They had noted with interest the progress report submitted by the Secretary-General on the study of the impact on children of armed conflict and hoped that proposals for action would be put forward without delay in order to meet the needs of children traumatized by conflicts and to ensure their physical and psychological recovery and social reintegration.

35. The CARICOM delegations acknowledged the observation made by the Special Rapporteur on the sale of children, child prostitution and child pornography about the need to better understand the structural and systemic factors giving rise to that type of abuse. The Department of Public Information in particular should demonstrate that dire poverty, socio-cultural bias, the growth of urban populations and the erosion of the family encouraged those horrible phenomena. The Special Rapporteur had also been right to stress the new problems arising when modern communications techniques were used for pornographic purposes. The United Nations had a role to play in that field by providing technical advisory services to Member States. Those services could help to facilitate the harmonization of legislation and, specifically, the elaboration of provisions designed to proscribe the use of cyberspace technology in the production and distribution of pornographic material involving children. In that respect, CARICOM member States were eagerly awaiting the recommendations to be adopted by the First World Congress on the Commercial Sexual Exploitation of Children, to be held in Stockholm in August 1996. At the national level, Governments must ensure that the budgetary constraints they faced did not impair social programmes which in large part provided services for children.

36. The media had an essential role to play in disseminating the Convention on the Rights of the Child and waging relevant information and awareness campaigns while at the same being careful to avoid sensationalism. Education and information should also be targeted at children themselves. They should be apprised of their rights and alerted to circumstances which put them at risk. Wherever possible, they should be aware of the remedies available to them.

37. Mr. NOGUERA (Guatemala), speaking on agenda item 111, said that he considered the programme of activities for the International Decade of the

World's Indigenous People to be very important, coming, as he did, from a country which included more than 25 ethnic groups speaking as many different languages. Guatemala welcomed, in particular, the decision taken by the General Assembly, in its resolution 49/214, to promote the involvement of indigenous people in the planning and implementation of projects concerning them, and the decision of the Economic and Social Council to encourage the specialized agencies to supply technical assistance to those people to promote their development. The initiative taken by the United Nations Development Programme to hold consultations with the indigenous communities of the Latin American region, including Guatemala, with a view to identifying their needs was also welcome. His delegation was also looking forward to the report on indigenous people being prepared by the United Nations Centre for Human Settlements (Habitat).

38. Guatemala found further cause for satisfaction in the fact that the Assembly had recognized the importance of action carried out on behalf of those people by a Guatemalan citizen, Mrs. Rigoberta Menchú Tum, winner of the Nobel Peace Prize and Goodwill Ambassador for the Secretary-General of the United Nations.

39. His delegation urged the international community to contribute to the Voluntary Fund for the Decade and paid tribute to those States which had already taken initiatives to achieve the objectives of the Decade.

40. In chapter IV of the Secretary-General's report on the programme of activities of the International Decade of the World's Indigenous People (A/50/565), paragraph 34 referred to the Agreement on the Identity and Rights of Indigenous Peoples, reached on 31 March 1995 in peace talks between the Guatemalan Government and rebel forces. He recalled the main points of that Agreement. It recognized the identity and rights of the Maya, Garifuna and Xinca peoples within the Guatemalan nation, which was a multi-ethnic, multicultural and multilingual nation. The Agreement recognized the validity of those peoples' view of the world and undertook to defend their rights in all areas, including the use of their own language, by creating services for the defence of indigenous people and free legal aid offices in towns where they were in the majority. The Agreement advocated bilingual education and inter-cultural exchanges; in fact, it dealt with many questions, from geographic place names to traditional regional costume. The signing of that Agreement was without doubt an event of historic significance for Guatemala, and the fact that it had taken place during the International Decade of the World's Indigenous People was cause for satisfaction.

41. Mr. OTOLE (Sudan) pointed out that his country had been one of the first to sign and ratify the Convention on the Rights of the Child. The President of Sudan, who had participated in person in the 1990 World Summit for Children, had issued a decree establishing a National Council for Child Welfare, whose role was to ensure that the Sudan fulfilled its obligations with respect to international instruments, to attend to child welfare in all areas, especially in the area of health, and to coordinate the efforts of governmental services and voluntary organizations involved in the care of children.

42. His delegation wished to thank the international organizations, particularly the United Nations Children's Fund (UNICEF) and the World Food Programme (WFP), as well as some donor countries and non-governmental organizations, for all they were doing for Sudanese children, especially within the framework of the National Programme of Action for the Survival, Protection and Development of Sudanese Children launched by his country. The humanitarian operation known as Operation Lifeline Sudan was another sign of the cooperation established between the Government of Sudan and the United Nations. In August 1994, the Sudan had signed a cooperation agreement with UNICEF with a view to carrying out some joint projects in aid of Sudanese children.

43. That cooperation had already produced tangible results, particularly in the health sector. In 1990, 80.9 per cent of children under the age of one had been vaccinated against polio in the northern provinces, and the Government hoped to eradicate the disease by the end of the century. Furthermore, the cease-fire brokered by former President Jimmy Carter had allowed the Government to begin a vaccination campaign, particularly against Guinea-worm disease, in formerly inaccessible regions. The vaccination campaign also affected many refugee children from countries bordering on the Sudan. As for the 20,000 young boys from the southern Sudan mentioned in press release No. ICEF/1813 of 12 July 1994, he pointed out that the children in question had been forcibly abducted by rebels. His Government hoped that the relevant international organizations would do everything possible to reunite those children with their families. In that respect, his delegation welcomed the adoption by consensus of its draft resolution on unaccompanied refugee minors.

44. Mr. MAJID (Bangladesh), speaking on agenda item 110, said that consideration of that item at the current session afforded the opportunity to ask some questions about the situation of children in the world. While it was true that malnutrition had declined considerably and diseases such as polio, measles, pneumonia and diarrhoea were being controlled, nevertheless, poverty, lack of education, exploitation, ill-treatment and violence continued to threaten the survival and development of millions of children. Poverty not only had a dramatic effect on the health, education and general development of children, but was also the cause of such particularly odious phenomena as the trafficking, sale and prostitution of children and child pornography. The international community should therefore pledge itself as a matter of urgency to combating poverty and attacking the deep-rooted causes of it. In that connection, his delegation wished to thank the Special Rapporteur on the sale of children, child prostitution and child pornography for providing a full report on those questions.

45. Armed conflict also had disastrous consequences for children. In the last decade alone, armed conflict had led to the death of 2 million children and had left another 4 million handicapped or maimed, not to mention the millions of children who had been forced by conflict to seek refuge in other countries. Those children had to be given humanitarian assistance, preventive measures had to be taken to protect them, and the instruments in defence of their rights had to be strengthened. His delegation paid tribute to UNICEF and the Office of the United Nations High Commissioner for Refugees in particular, for their untiring efforts to protect children caught up in armed conflict.

46. The ratification by 181 States of the Convention on the Rights of the Child was proof of the international community's keen interest in children. His delegation requested countries which had not yet done so to ratify the Convention and so make it the first human rights instrument to be universally accepted.

47. In 1994 the Government of Bangladesh had adopted a national policy on children which was principally concerned with the health, education and psychological development of children, help for children in difficult circumstances and the protection of the legal rights of children. The Government had also made primary education obligatory. In the area of health, encouraging results had been achieved, with the vaccination rate for children expected to reach 85 per cent by the end of 1995 (as compared with only 2 per cent in 1985), the widespread use of oral rehydration therapy (ORT) and iodized salt, and a reduction in the infant mortality rate from 110 deaths per 1,000 in 1991 to 85 per 1,000 in 1994.

48. Bangladesh had been one of the pioneers in focusing on the promotion and protection of the rights of the girl child. It had instituted free education for girls up to the age of 16, established a system of stipends and created food-for-education programmes to encourage parents to enrol their daughters in school.

49. Despite the many economic and social constraints on its policy of eliminating exploitative child labour, Bangladesh had signed a memorandum of understanding with UNICEF and ILO early in 1995 in which it undertook to remove from garment factories the 60,000 children working in the garment industry and to send them to school. That policy not only ensured the elimination of the exploitation of children but also enabled them to be educated and trained. In order to mitigate the loss of income which the enrolment of those children in school represented for their parents, the memorandum of understanding provided for a monthly stipend to be paid to meet the living expenses of the children in question and for after-school income-generating activities. There was also provision for the possible employment of qualified members of the children's families. However, no one should imagine that the exploitation of child labour in Bangladesh would disappear overnight. The policy pursued to that end required perseverance and was costly. Bangladesh took the opportunity to request the international community and donors to assist it in its action.

50. Mr. RATA (New Zealand), speaking on agenda item 111, said that his country strongly supported the International Decade of the World's Indigenous People, seeing it as an opportunity to foster increased respect for the cultural wealth of indigenous people and to acknowledge the special place that they occupied in their respective countries.

51. The success of the Decade would depend on the establishment of a genuine partnership among indigenous people, Governments and the international community, which meant that indigenous people must be involved in the development and implementation of Decade activities. The Coordinator for the Decade and the Centre for Human Rights would have an important role to play in that regard. The establishment of an indigenous people's unit within the Centre, as requested by the General Assembly at its forty-ninth session, would

facilitate the Centre's work in connection with the Decade, provided that the necessary staff and resources were made available.

52. The Decade would truly achieve its goal only if the United Nations system increased specific initiatives. New Zealand particularly supported human rights training, including human rights fellowship programmes for indigenous people, the establishment of close cooperation between the Department of Public Information and the Centre for Human Rights with regard to activities for the Decade, and the establishment of indigenous networks. It also believed that United Nations agencies should take a closer interest in the Decade and devote increased resources to indigenous issues.

53. In 1994, the General Assembly had considered the establishment, within the United Nations system, of a permanent forum for indigenous people. New Zealand had participated in the discussions on that issue and believed that the idea should be kept under active consideration. The review by United Nations agencies of their activities for indigenous people would provide an opportunity to do so.

54. New Zealand welcomed the decision by the Economic and Social Council to enable indigenous groups that did not have consultative status to participate in the work of the intergovernmental Working Group entrusted by the Commission on Human Rights with the task of preparing a draft declaration on the rights of indigenous people.

55. In New Zealand, the Government was pursuing a two-fold objective in its activities for the Decade. The first objective was to promote increased cooperation among indigenous people so as to enhance their ability to solve their own problems. The second objective was to respond to the specific needs and aspirations of indigenous people. Accordingly, the first year of the Decade in New Zealand had been dedicated to the preservation of the Maori language. The Ministry for Maori Development also intended to convene a meeting of Maori community representatives to coordinate future Decade activities. Those activities would be geared towards a number of objectives, including promotion of the special place occupied by Maoris in New Zealand society, promotion of national cooperation between the individual tribes in Aotearoa and the encouragement of links with other indigenous people in the Pacific. The Government had allocated $NZ 1.6 million for activities during the first three years of the Decade. Community and business sectors had also been very generous, partly as a result of the success of the Maori Language Year.

56. Aside from the programme for the Decade, the Government remained committed to settling Maori claims under the 1840 Treaty of Waitangi. The Government had recently reached a settlement with the Waikato-Tainui tribe, part of whose land had been confiscated in the nineteenth century. The agreement signed with the tribe provided for it to receive redress to the value of $NZ 170 million, in the form of land and cash. Consultations should enable other claims to be settled over the next 10 years.

57. Mr. UPENDRA (India), speaking on agenda item 110, said that the plight of children in post-conflict situations was particularly tragic. The number of children recruited for armed conflicts was increasing steadily and it was

shocking to learn that in some areas child soldiers were being tried for genocide. The real culprits were the people who recruited children. It was therefore imperative that States enact legislation prohibiting the recruitment of children for armed conflicts or terrorist activities.

58. His delegation had read with deep regret the report of the Special Rapporteur on the sale of children, child prostitution and child pornography. Unfortunately, it was primarily tourists from the developed countries who encouraged those reprehensible practices, in that they were the major customers. His delegation would have liked the Special Rapporteur to give more information on the extent of such phenomena in different parts of the world and on the action taken by some countries to deal with them. The international community could take immediate action to curb sex-based tourism leading to the exploitation of minors and impose restraints on the use of the media and communications technology for pornography. His delegation hoped that the World Congress on the Commercial and Sexual Exploitation of Children, to be held in Stockholm in 1996, would recommend that States adopt appropriate legislation. It was also important that the international community, particularly the Commission on Human Rights, arrive at a precise definition of what constituted child abuse. Countries apparently applied different standards and what was considered a perversion in some countries was legalized in others.

59. While much remained to be done to improve the lot of children in India, the Government had none the less taken steps to foster their development. Free and compulsory education up to the age of 14, free health care for the poor, and school meals were some examples. The Government was also aware of the need to devote special attention to the girl child, as had been emphasized recently at the Fourth World Conference on Women.

60. In India, the problem of child labour was a matter of great concern to public opinion and many non-governmental organizations were tackling it. According to a recent ILO report, child labour was a growing phenomenon even in the industrialized regions of the world. His delegation firmly believed that child labour must be eliminated and that the best way to do so was through cooperation, not confrontation.

61. In India, the first priority was the elimination of child labour in hazardous industries. His Government planned to achieve that by the year 2000. A national authority had been established and had devised a number of steps to eliminate that scourge. A massive programme, to which the Government had allocated the equivalent of US$ 270 million, had been launched in September 1995 to put an end to child labour in hazardous industries. Two million children were currently benefiting from the programme, which would be extended gradually to the whole country.

62. Turning to agenda item 111 on the issue of the rights of indigenous people, he pointed out that the term "indigenous" needed to be defined. The term had originally been conceived as being synonymous with "native" or "aboriginal". There was a clear distinction between societies whose civilization had evolved continuously over 3,000 to 4,000 years and States of recent origin where groups of migrants had almost wiped out centuries-old native cultures. That distinction was a fact of history and should be taken into account in the draft

United Nations declaration on the rights of indigenous people. When talking of the rights of indigenous people, it was not enough simply to refer to the preservation of their cultures or languages. It was more important to ensure that they enjoyed the same rights as other citizens, including equal access to elected and public office. Affirmative action and special programmes should be used to redress all imbalances in that area. The draft declaration should reflect those ideas.

AGENDA ITEM 109: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

Draft resolution A/C.3/50/L.20/Rev.1

63. Ms. NEWELL (Secretary of the Committee) said that services connected with the introduction of Russian as an official language of the Executive Committee of the Programme of the High Commissioner for Refugees, as mentioned in paragraph 23 of the draft resolution, would be funded from resources already earmarked under section 26E of the proposed programme budget for the biennium 1996-1997. The draft resolution therefore had no budget implications.

64. The sponsors had made some changes in the draft resolution. In the seventh line of paragraph 9, the words ", within its mandate and at the request of the Governments concerned," should be added after the words "calls upon the Office of the High Commissioner". In the eighth and ninth lines, the words "activities in support of national legal and judicial capacity-building" should be replaced by "support of national efforts at legal and judicial capacity-building". Lastly, the words ", while at the same time recognizing the right of States to establish laws governing the acquisition, renunciation or loss of nationality" should be added at the end of paragraph 16.

65. Mr. MIKKELSEN (Denmark) said that since the introduction of the draft resolution, Andorra, Benin, Bolivia, Cape Verde, Chile, Croatia, Ecuador, Gabon, Guinea-Bissau, Mali, the Marshall Islands, Nepal, Sierra Leone, Suriname, Thailand, The former Yugoslav Republic of Macedonia and Uganda had become sponsors. As a result, the draft resolution was now sponsored by 94 countries and he hoped that it would be adopted without a vote.

66. Ms. LIMJUCO (Philippines), Ms. AKBAR (Antigua and Barbuda) and Mr. PACE (Malta) announced that their delegations wished to join in sponsoring the draft resolution.

67. Ms. KOVALSKA (Ukraine) said that her delegation had difficulty accepting the draft resolution because of the wording of the final phrase of paragraph 23, which read: "notably in the Commonwealth of Independent States". Each of the States members of the Commonwealth of Independent States had its own problems and its own interests. She therefore suggested replacing the phrase with the words "notably in the CIS States".

68. Mr. SEPELEV (Russian Federation) explained that the phrase in question had been drafted by the main sponsors of the draft resolution and that his delegation had not been involved. Replacing the phrase with the words "notably

in the CIS States" would indeed solve the problem, if Ukraine's intention was to reaffirm its status as an independent State within CIS, but the wording seemed redundant to him.

69. The CHAIRMAN asked the Ukrainian delegation to clarify its position, in response to the statement by the representative of the Russian Federation.

70. Ms. KOVALSKA (Ukraine) suggested the wording: "notably in the independent States situated on the territory of the ex-USSR".

71. Mr. MIKKELSEN (Denmark) said that, following the brief consultations which he had just held in his capacity as main coordinator of the draft resolution, delegations seemed to be in agreement on using the wording: "notably in the countries of the Commonwealth of Independent States". He hoped that Ukraine would accept that wording and that the draft resolution would be adopted without a vote.

72. Ms. KOVALSKA (Ukraine) said that her delegation accepted the wording.

73. The CHAIRMAN said that if he heard no objection, he would take it that the Committee wished to adopt the draft resolution, as orally revised by the representative of Denmark.

74. It was so decided.

75. Draft resolution A/C.3/50/L.20/Rev.1, as orally revised, was adopted without a vote.

76. Mr. ARDA (Turkey) said that his delegation had joined in the consensus on the draft resolution but had not sponsored it. The question of internally displaced persons, which his Government felt was not the exclusive domain of the Office of the High Commissioner for Refugees, had not been taken up at the forty-sixth session of the Executive Board of the Programme of the High Commissioner held at Geneva in 1995. His delegation therefore had wanted paragraph 8 of the draft resolution to be deleted. Moreover, it felt that paragraph 12 concerning refugee women should also have taken into consideration children and other vulnerable groups.

77. Mr. TAN Hung Sen (Singapore) said that his delegation supported the general thrust of resolution A/C.3/50/L.20/Rev.1 but had serious reservations concerning paragraph 4, in which the General Assembly reaffirmed that everyone, without distinction of any kind, was entitled to the right to seek and enjoy in other countries asylum from persecution. First of all, his Government had never recognized that there was an unrestricted or automatic right to asylum. Secondly, in recent years most countries, including several of the developed countries which had sponsored the draft resolution, had tended to interpret the right to asylum more restrictively. The United Nations High Commissioner for Refugees had confirmed the existence of that trend in her statement to the Third Committee on 20 November 1995. Given that fact, his delegation was puzzled by the insistence of certain developed countries on unqualified reiteration of a principle that they themselves denied in practice. It would be better to acknowledge the facts than to pretend that the situation had not changed. Too

great a divergence between principle and practice with regard to the right to asylum would only lead to outright rejection of the principle in question.

The meeting rose at 1.05 p.m.